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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,258	04/25/2001	Osamu Inoue	10873.707US01	9787

7590                    01/30/2003

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[REDACTED] EXAMINER

NGUYEN, TUYEN T

ART UNIT	PAPER NUMBER
2832	

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/843,258</b>	Applicant(s) <b>Inoue et al.</b>
Examiner <b>Tuyen T. Nguyen</b>	Art Unit <b>2832</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Nov 19, 2002.

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-24 is/are pending in the application.

4a) Of the above, claim(s) 17-24 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-16 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 8

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanekiyo et al. in view of Kugimiya et al. [US 5,350,628].

Kanekiyo et al. discloses a magnetic body comprising:

- a composite magnetic body including metallic magnetic powder and thermosetting resin having a packing ratio of the metallic magnetic powder of 65 vol% to 90 vol%.

Kanekiyo et al. discloses the instant claimed invention except for the specific resistivity of the magnetic body.

Kugimiya et al. discloses a magnetic sintered composite material formed of an alloy of Fe-Al-Si having a resistivity of 20MOhms or more.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the composite material design of Kugimiya et al. in the composite body of Kanekiyo et al. for the purpose of improving flux density.

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Regarding claims 6-8, JP 2-226799 discloses the instant claimed invention except for the magnetic powder having a thin silicon oxide film formed on a surface thereof.

Kugimiya et al. discloses the magnetic powder having a silicon oxide film formed on the surface thereof.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the magnetic particle of Kugimiya et al. in the composite body of JP 2-226799 for the purpose of reducing interference.

The specific thickness of the silicon oxide film, mean particle size, insulating material shape, aspect ratio of the electrical insulating material and the use of organic material with the composite magnetic body would have been an obvious design consideration based on the particular applications and environment of use of the composite magnetic body.

3. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2-226799 in view of Kanekiyo et al. and Kugimiya et al.

JP 2-226799 discloses a magnetic element comprising:

- a composite magnetic body including metallic magnetic powder and thermosetting resin [see abstract] having a ratio of the metallic magnetic powder of 65 vol% to 90 vol%; and  
- a coil [1] embedded within the composite magnetic body.

JP 2-226799 discloses the instant claimed invention except for the specific packing ratio and the specific resistivity of the magnetic body.

Kanekiyo et al. discloses a magnetic body comprising:

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- a composite magnetic body including metallic magnetic powder and thermosetting resin having a packing ratio of the metallic magnetic powder of 65 vol% to 90 vol%.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the packing ratio of Kanekiyo et al. in JP 2-226799 for the purpose of enhancing the magnetic field.

JP 2-226799 in view of Kanekiyo et al. discloses the instant claimed invention except for the specific resistivity of the magnetic body.

Kugimiya et al. discloses a magnetic sintered composite material formed of an alloy of Fe-Al-Si having a resistivity of 20MOhms or more.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the composite material design of Kugimiya et al. in the composite body of JP 2-226799, as modified, for the purpose of improving flux density.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Tuyen T. Nguyen whose telephone number is (703) 308-0821.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Elvin Enad, can be reached at (703) 308-7619. The fax number for this Group is (703)872-9318 before the final office action, if the response is after final office action the fax number is (703)872-9319.

Any inquiry of a general nature or relating to status of this application of proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

TTN *Tin*

January 26, 2003

*Jaylene T. Nguyen*